

Exhibit C

Quadrino Schwartz
Village Fuel Time Record
December 10, 2009 through Present

Date		Description	Hours	Rate
12/10/2009	WJO	Drafted additional portions of the brief in support of fee application. Conference with RJQ re: his section of brief and declaration. Emails with adversary re: consent to extension; prepared letter to Magistrate Ellis re: same.	6.50	375.00
12/11/2009	WJO	Continue drafting procedural and factual background section of brief and review of prior orders, briefs, transcripts, etc. necessary to do same.	6.00	375.00
12/13/2009	WJO	Draft factual background section of Memorandum of Law and research in support of arguments that party seeking fees does not have to be "prevailing party". Continue drafting portions of Memorandum of Law.	4.00	375.00
12/14/2009	RJQ	Review and analysis of five years of billing entries for accuracy, for submission to the court in support of legal fee motion. Prepared summary of same for convenience of the court.	4.50	495.00
12/14/2009	WJO	Continue drafting factual background and various legal argument sections of Memorandum of Law in support of fee motion; review email from GHI, refusing to agree to compromise position re: discovery of fee agreement and billing records. Conference with RJQ re: response to same and fee motion. Draft WJO declaration and review of RJQ declaration.	10.25	375.00
12/15/2009	RJQ	Further review and analysis of time records; finalized preparation of summary of hours, by category, and edits to same. Drafted additional sections of RJQ declaration. Finalized declaration. Review of Memorandum of Law; edits to same; meetings with WJO regarding strategy for motion. Review of disbursements and review of all exhibits. Approval of same. Finalized all motion papers for legal fee motion.	8.75	495.00
12/15/2009	WJO	Completed drafting declaration of WJO and selecting exhibits to same. Completed Memorandum of Law in support of motion. Conferences with RJQ re: finalizing arguments and RJQ declaration.	7.25	375.00
12/23/2009	WJO	Prepare submission for filing of Settlement Agreement under seal with copy of court order and required disclosure statement contained in order. Review recent Second Circuit decision regarding award of attorney's fees in settlement context in Perez v. Westchester and research /shepardize cases cited therein. Emails with RJQ re: same.	2.50	375.00

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Date		Description	Hours	Rate
01/10/2010	WJO	Review decisions holding that beneficiary is prevailing party for attorney fee purposes where plan voluntarily pays benefits during litigation; email to RJQ re: same.	0.50	375.00
01/29/2010	WJO	Reviewed Luca v. Nassau fee decision; conference with RJQ re: same.	0.50	375.00
02/05/2010	RJQ	Preliminary review of opposition to motion and meeting with WJO regarding same. Draft notes for reply.	0.75	495.00
02/05/2010	WJO	Begin review of opposition brief and declaration submitted by GHI. Conference with RJQ re: reply to same.	1.50	375.00
02/08/2010	WJO	Conference with RJQ re: approach to Reply.	0.50	375.00
02/11/2010	RJQ	Review and analysis of briefs; drafted and revised various arguments for the Reply. Meetings with WJO regarding various items of legal and factual research to incorporate into Reply.	4.50	495.00
02/11/2010	WJO	Continued review of oppositon filed by GHI; review client's deposition to confirm that GHI's factual recitation is again incorrect. Review underlying summary judgment motions to rebut arguments made yet again by GHI. Meeting with RJQ to discuss Reply. Lengthy conference with RJQ to work on detailed outline, preliminary draft of Reply and references to record to draft same. Begin review and analysis of cases cited by GHI in its opposition.	8.75	375.00
02/18/2010	WJO	Begin review of transcript of proceedings before Magistrate Ellis. Begin review, analysis and shepardizing of cases cited by GHI in its opposition brief.	2.25	375.00
02/19/2010	WJO	Complete review of transcript of oral argument before Magistrate Ellis; conducted research re: prevailing party issue and justification of award of attorneys fees where settlement reached.	3.00	375.00
03/01/2010	WJO	Conduct research re: admissibility of tax records under Fre 803 and 901; drafted additional portions of reply brief and conduct further research in support of arguments that party can be prevailing party where case settled. Locate prior tax records produced by GHI as having been obtained pursuant to authorization we provided to ascertain whether tax departmernt definitively indicated it had produced all records or otherwise explained why this new tax record was not provided before.	5.50	375.00
03/02/2010	RJQ	Strategy with WJO regarding Reply brief on fee motion.	0.75	495.00

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Date		Description	Hours	Rate
03/02/2010	WJO	Continue research of cases in support of arguments that attorneys fees should be awarded; review prior briefing and documents to draft arguments; continue drafting reply brief.	4.75	375.00
03/03/2010	RJQ	Review and edits to reply brief on fee motion. Meetings with WJO regarding same.	1.50	495.00
03/03/2010	WJO	Continued drafting Reply, conferences with RJQ re: same. Drafted declaration of WJO. Selected exhibits. Finalized all motion papers.	8.00	375.00
06/01/2010	WJO	Review new Supreme Court decision re: standard for award of attorneys fees under ERISA. Emails with MZH, RJQ, and ESS re: same. Conference with RJQ re: same. Prepare and file notice of new developments with Court. Letter to Magistrate Ellis re: courtesy copy of same. Review Magistrate Ellis' Individual Rules in preparation for drafting same.	2.00	375.00
06/22/2010	WJO	Email from GHI counsel, John Seybert, advising that GHI does not object to Village Fuel filing a complete version of the December 15, 2009 O'Mahony Declaration. Meeting with PAR re: preparing redacted and unredacted versions. Check final versions of each; review Magistrate Ellis' Individual Rules; draft letter application for leave to file complete declaration, nunc pro tunc; email to GHI counsel attaching copy of letter being sent by Fed Ex.	1.50	375.00
10/26/2010	RJQ	Review of Magistrate's report and recommendations on fee motion; meetings with WJO; meeting with ESS; review and analysis of decision; conducted legal research.	3.00	495.00
10/26/2010	WJO	Review Magistrate report; conferences with ESS and RJQ re: same; review cases cited in decision with RJQ.	2.00	375.00
10/27/2010	ESS	Conference with RJQ regarding legal and factual issues, settlement position, etc.	0.50	495.00
10/27/2010	RJQ	Meetings with ESS and WJO regarding decision and potential objections and grounds therefor.	0.50	495.00
10/27/2010	WJO	Emails with RJQ re: potential settlement /go forward.	0.25	375.00
10/29/2010	RJQ	Email to Bernstein with settlement proposal.	0.25	495.00
10/29/2010	WJO	Conferences with RJQ re: his discussion with client and go forward settlement/litigation strategy; review rule 72, Rule 6 and Rule 5 re: timing of same for setting deadline for adversary to respond to proposal; conference with RJQ re: text of email settlement proposal re: fees.	0.75	375.00

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Date		Description	Hours	Rate
11/02/2010	RJQ	Telephone conversation Bernstein. Meeting with WJO regarding various aspects of Rule 72 Objection.	0.75	495.00
11/02/2010	WJO	Review Hardt decision with RJQ and discuss basis for Rule 72 objection.	0.25	375.00
11/04/2010	RJQ	Review and analysis of recent 7th Circuit decision regarding fees under ERISA post-Hardt; discussion with ESS regarding same and theme / approach for Rule 72 brief.	0.50	495.00
11/11/2010	WJO	Shepardize Hardt decision and conduct research re: post Hardt decisions re: calculation of "reasonable fee award," and shepardize cases re: proportionality of success requirement cited by Magistrate Ellis.	4.50	375.00
11/12/2010	RJQ	Review of all issues; legal research; and drafted, revised, and finalized Rule 72 Objection to Magistrate's Report and Recommendation on legal fee award.	11.25	495.00
11/12/2010	WJO	Further legal research of Supreme Court decisions on fee awards, Post Hardt fee decisions, and cases re: propensity of making fee award proportional to amount of success on each claim asserted; email same to RJQ; emails and multiple calls with RJQ re: same, arguments to be made in brief, and portion of Hardt which says that "prevailing party" fee award precedents such as Bukhannon do not govern ERISA fee awards and Hensley's rejection of mathematical calculation of success approach to fee award; review of prior summary judgement decision and filings and briefs to identify cites to past record.	5.75	375.00
11/17/2010	RJQ	Review of GHI's letter and email; meeting with WJO; email to GHI's counsel and court. Drafted letter in response; telephone conversations with court's clerk.	1.25	495.00
11/17/2010	WJO	Review letter and email from GHI re: pre- motion conference request concerning purportedly untimely objections by Village Fuel. Conference with RJQ re: email response to same and letter to Judge Sullivan. Review cases cited by GHI and conference with RJQ re: lack of merit to GHI position and fact that cases do not address 3 day extension of time granted by interplay of Rule 6 and 5; review email responses by GHI; conference with RJQ re: go forward handling of fee issues.	1.00	375.00
11/22/2010	WJO	Conferences with RJQ re: strategy for response to GHI objections.	0.50	375.00

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Date		Description	Hours	Rate
11/24/2010	RJQ	Meeting with WJO regarding opposition to GHI's Rule 72 objection and strategy regarding same. Additional meeting with WJO regarding caselaw and strategy regarding same.	1.75	495.00
11/24/2010	WJO	Lengthy Meeting with RJQ regarding opposition to GHI's Rule 72 objection and strategy regarding same. Extensive legal research re: catalyst theory, "reasonable fee" jurisprudence; review report and recommendation; shepardize Hensley, Hardt and Perdue and new cases, recognizing Supreme Court's adherence to lodestar method and Arbor Hill. Additional meeting with RJQ regarding conflicts in the caselaw and strategy regarding same.	5.75	375.00
11/27/2010	WJO	Begin drafting brief in opposition to GHI's Objections; review of cases and past briefing necessary to do same; research applicability of lodestar method for calculating fees to ERISA cases.	3.50	375.00
11/28/2010	WJO	Located cites to prior orders and filings; emails with RJQ re: opposition; draft response to GHI's Rule 72 objections and review of controlling cases necessary to draft same.	4.50	375.00
11/29/2010	RJQ	Meetings with WJO regarding strategy for opposition to GHI's Rule 72 Objection.	0.50	495.00
11/29/2010	RJQ	Edits, revisions, and draft additions to memorandum of law in opposition to GHI's Rule 72 Objections; meetings with WJO regarding same.	6.75	495.00
11/29/2010	WJO	Meetings with RJQ re; strategy for response to GHI objections; draft memorandum of law and revise same; review of past briefs and exhibits necessary to draft same; research of cases in support of arguments made in same.	9.50	375.00
12/15/2010	WJO	Begin review of GHI reply; review cases cited by GHI re: standard offer view; shepardize same; conference with RJQ re: same.	0.75	375.00
02/10/2011	WJO	Review Raybourne v CIGNA fee decision; emails with RJQ re: same and whether to submit to Court.	0.50	375.00
02/24/2011	RJQ	Review and analysis of Reimer's decision; discussion with WJO; research rules and local rules and individual practices; collaborate re: letter to Judge Sullivan.	1.25	495.00
02/24/2011	WJO	Review Taaffe v Lina decision; emails with RJQ, ESS and MZH re: usefulness of same for Scarangella. Conference with RJQ re: whether to submit same; review Judge Sullivan's Individual Rules; draft letter to judge Sullivan re: decision; email to Judge Sullivan's chambers re: same.	1.00	375.00

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02/25/2011	WJO	Review letter from GHI counsel, John Seybert, to Judge Sullivan re: two decisions it believes are relevant to pending motion; review same; conference with RJQ re: inapplicability of decisions to current proceedings.	0.50	375.00
03/01/2011	WJO	Review Loube fee motion re: partial success; emails with RJQ re: same.	0.50	375.00
08/23/2011	RJQ	Meeting with WJO regarding notice of new developments.	0.25	495.00
01/17/2012	WJO	Review letter filed by GHI re: new decision; emails with RJQ re: same and providing other decisions.	0.25	375.00
01/24/2012	RJQ	Review of cases, briefs, etc. Sent various materials to WJO for Notice of New Developments.	1.75	495.00
01/24/2012	WJO	Telephone conference with RJQ re: GHI submission and cases to be submitted in response; exchanged emails re: same; begin reviewing decisions emailed by RJQ.	0.75	375.00
02/10/2012	WJO	Emails with RJQ re: Notice of New Developments; reviewed various fee decisions to assess for submission; reviewed GHI Notice of New Developments.	1.75	375.00
02/16/2012	WJO	Review and analyze case cited by GHI in Notice of New Developments; shepardize same; review and shepardize recent favorable fee decisions; review Fed. R. App. 22.1 and Sixth Circuit Rule 28 re: propriety of GHI citation to unreported decision; locate and review appellate briefs filed in case cited by GHI to confirm Hardt case not discussed; locate additional favorable fee decisions; locate and review underlying fee motion briefs.	5.50	375.00
02/17/2012	WJO	Complete review of fee decisions; research of sixth circuit fee decisions and find recent one which cites Hardt and comes to contrary decision than one submitted by GHI. Draft letter to Judge Sullivan re: new developments; emails with RJQ and PRR re: filing Notice of New Developments instead of letter; review PRR draft Notice of New Developments.	5.75	375.00
02/21/2012	PRR	Drafted the Notice of New Developments concerning new decisions relating to attorneys fees as per WJO.	0.75	190.00
06/21/2012	RJQ	Call to court; email to client.	0.25	495.00
07/03/2012	WJO	Review and analysis of fee decision.	0.25	375.00
07/05/2012	ESS	Reviewed emails from attorneys on fee decision; meet with RJQ to discuss merits of Judge's opinion and whether to take an appeal.	0.75	495.00
07/05/2012	RJQ	Review and analysis of court decision; emails with WJO; meeting with ESS re: appeal.	1.25	495.00

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07/05/2012	WJO	Ongoing emails with RJQ, ESS and MZH re: whether to appeal; locate quotes from Hardt and email same.	0.25	375.00
07/09/2012	PRR	Located Appeal Rules and Notice of Appeal form; drafted same for MZH.	1.00	190.00
07/09/2012	PRR	Electronically filed our Notice of Appeal as per RJQ.	0.25	190.00
07/09/2012	PRR	Telephone conversation with Clerk of the Court re: filing deadline for our Notice of Appeal; method of service, who gets served and filing fees; marked calendar accordingly with reminders as per MZH.	0.25	190.00
07/09/2012	WJO	Continued emails with RJQ and ESS re: Appeal, Notice of Appeal, and helpful cases in support thereof.	0.25	375.00
07/10/2012	PRR	Telephone conversation with M. Ehrlich of Counsel Press re: securing him for our Appeal; conversation with RJQ re: same.	0.50	190.00
07/11/2012	PRR	Drafted the Proposed Scheduling Notification; emailed M. Ehrlich of Counsel Press for template.	0.75	190.00
07/19/2012	RJQ	Review of draft Forms C and D for 2nd Circuit; edits to same.	0.50	495.00
07/23/2012	MZH	Meeting with PRR and initial review of Forms C and D. Discussed Form C and D with WJO. Drafted Nature of the Action below. Analysis of Judge Ellis report and recommendation and Judge Sullivan's Rule 72 Ruling. Drafted multiple issues for Addendum B to Form C. Review of email from RJQ and telephone conversation with RJQ. Revised foregoing based on RJQ's comments, finalized and met with PRR re: filing same. Review of exact language of 1132(g) for fees and costs. Reviewed exact language of Hardt v. Reliance Standard and incorporated same into RJQ's statement of the issue.	2.50	375.00
07/23/2012	PRR	Met with MZH re: revisions and additions to Forms C and D; e-filed same for RJQ.	1.25	190.00
07/23/2012	RJQ	Emails and telephone conversations with MZH regarding Forms C and D to be filed in 2nd Circuit.	0.50	495.00
07/24/2012	PRR	Met with RJQ re: building our Record on Appeal, including discussion of pulling boxes from storage and creating a new folder for RJQ's use.	0.25	190.00
07/24/2012	PRR	Telephone conversation with M. Ehrlich re: proposed scheduling notification.	0.25	190.00

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Date		Description	Hours	Rate
07/25/2012	PRR	Telephone conversation with Case Manager at the Second Circuit Court of Appeals relating to the counsels listed on the ECF notifications; discussed how to remove S. Pazan and add M. Bernstein; received instruction to correct; met with RJQ re same.	0.50	190.00
07/25/2012	PRR	Drafted Scheduling Notification Letter to the Clerk of the Court requesting 91 days to file our Joint Appendix and Brief; met with RJQ re: revisions; edited same and finalized.	1.25	190.00
07/25/2012	PRR	Discussion with RJQ re: Proposed Scheduling Notification and timeline for filing the Opening Brief and Joint Appendix.	0.25	190.00
07/25/2012	PRR	Telephone call to Betty Spolin, office administrator at Spector Gadon & Rosen PC to advise that (1) they have to send a letter to the court of appeals clerk of the court stating that their firm is not involved with the appeal because it's settled and (2) that S. Pazan is no longer with the firm.	0.25	190.00
07/25/2012	PRR	Telephone conversation with RJQ relating to the appearance of opposing counsel in the appellate matter; prepared an email to M. Bernstein enclosing our letter to the Clerk of the Court designating 10-22-12 as the due date for our Brief and Joint Appendix.	0.25	190.00
07/25/2012	RJQ	Review of local rule regarding briefing schedule; edited letter to court regarding same.	0.50	495.00
07/26/2012	PRR	Reviewed Docket Sheet and pulled all relevant moving papers relating to attorneys fees, including Declarations, Orders, Endorsed Letters and Recommendations with their exhibits for the Record on Appeal for RJQ.	2.00	190.00
08/09/2012	PRR	Telephone conference with RJQ regarding parameters and rules pertaining to his CAMP conference set by Second Circuit; telephone conference with M. Ehrlich re: same. Prepared summary of Ehrlich's comments to RJQ.	0.25	190.00
08/09/2012	RJQ	Meeting with CLV and conference call with the court. Email to adversary regarding rescheduling of the CAMP conference.	0.50	495.00

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Date		Description	Hours	Rate
08/13/2012	PRR	Review of incoming message from J. Seybert relating to non appearance on appeal case; telephone conversation with JasonWang, Appeals Case manager and advised of same; discussed that Notice of Appeal did not list GHI and advised to contact Judge Sullivan's clerk re: same; telephone conversation with Judge Sullivan's clerk and SDNY Appeals Clerk re: J. Seybert, attorney for GHI non appearance on Appeals Docket and discussed possible clerk's error when transferring to Appeals Court and inadvertently exluding J. Seybert.	0.50	190.00
08/15/2012	PRR	Review and analysis of procedure for filing of Joint Appendix and Brief; calendared accordingly.	0.75	190.00
08/15/2012	PRR	Drafted Second Circuit Acknowledgement; eFiled same.	0.25	190.00
09/14/2012	PRR	Searched Appellate Court, FRAP 30 and local rules for Second Circuit filing rules and guidelines.	0.25	190.00
09/14/2012	PRR	Reviewed Order for 9/24/12 conference call; calendared accordingly; reviewed email from CLV adding HJL to the case;added HJL to all calendar entries.	0.25	190.00
09/14/2012	PRR	Researched court files for orders relating to records of appeal and joint appendix with timeframes; printed orders relating to telephonic conference and calendared accordingly.	0.25	190.00
09/17/2012	HJL	Downloaded and reviewed documents, court decision and appellate documents; met with RJQ for status and strategy; met with MZH re: most recent case law.	1.50	375.00
09/17/2012	MZH	Discussion with RJQ and HJL regarding Hardt cases and what constitutes measure of success.	0.25	375.00
09/17/2012	PRR	Reviewed and responded to email from HJL with questions relating to the record on appeal and what has been filed to date.	0.25	190.00
09/17/2012	PRR	Reviewed docket number 24 containing the Court Order for a 9/24/2012 telephonic conference; emailed RJQ and HJL re: PINnumber from the court.	0.25	190.00
09/17/2012	PRR	Telephone call to Jason Wang, case manager seeking conference pin number for the 9/24/2012 conference call with staff counsel at Second Circuit. Telephone call with CAMP conference center re same; updated PACER account with additional email addresses for ECF notifications for HJL and PRR.	0.25	190.00
09/17/2012	PRR	Located notes on documents to pull re: appeal on record for RJQ's meeting with HJL.	0.25	190.00

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Date		Description	Hours	Rate
09/17/2012	RJQ	Meeting with HJL regarding issues on appeal and strategy regarding same.	1.50	495.00
09/18/2012	HJL	Review Second Circuit Rules and Procedures; telephone conference with Counsel Press re: same and Appendix; begin to review documents; review decision and Report and Recommendation; office conferences with RJQ and ESS re: issues and strategy.	4.75	375.00
09/19/2012	MZH	Review of all significant post Hardt cases. Collected same and provided citations to HJL.	0.50	375.00
09/20/2012	HJL	Reviewed and responded to emails from RJQ and MZH re: attorney fees and new research: begin draft of Appendix; lengthy meetings with RJQ re: content and requirements for Appendix; download and review latest docket sheet. Reviewed Rule 72 documents to determine whether appropriate for Appendix; prepared correspondence to opposing counsel re: Appendix; telephone call to Counsel Press re: Rule 72 documents, settlement agreement, documents viewed by lower court under seal, etc.	6.25	375.00
09/20/2012	PRR	Review and analysis of all materials transferred under the appeal record to USCA to the docket.	0.75	190.00
09/20/2012	RJQ	Meetings with HJL regarding content of the Appendix on appeal; review and analysis of various documents for potential inclusion in the Appendix.	1.25	495.00
09/21/2012	HJL	Completed initial draft re: documents for Appendix. Prepared, reviewed and revised letter from RJQ to Bernstein re: same. Telephone conferences with Counsel Press re: documents not in record, procedures for sealed documents, Rule 72 motion documents, etc. Reviewed Appendix documents, 3/09 and 7/12 court decisions, voluminous online research re: Hardt, Buckhannon and Ruckelhaus; reviewed 134 additional cases online, downloaded 20 or so for closer review.	7.75	375.00
09/21/2012	PRR	Revised letter and Appendix to the Appeal to M. Bernstein; reviewed with RJQ; prepared fax cover sheet; faxed to counsel; prepare FedEx label; FedEx'd same to counsel; scanned and saved to files.	0.50	190.00
09/21/2012	RJQ	Meetings with HJL regarding confidential Appendix process, contents of Appendix, and approval of letter and docket entries regarding same.	0.75	495.00

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09/24/2012	HJL	Exchanged text messages and emails with RJQ re: Second Circuit conference call, specific cause of action and argument RJQ wants to pursue. Search for documents and notes; attend Second Circuit conference call with court attorney and opposing counsel; continue research re: Hardt and progeny, citing caselaw, etc. Further office conference with RJQ to discuss research to date and strategy, Xontinue review of voluminous case law.	5.50	375.00
09/24/2012	RJQ	Preparation for conference with Appeals Court clerk; meeting with HJL regarding the standard of review in the Second Circuit; review of caselaw; conference call with court regarding any potential for resolution.	1.50	495.00
09/25/2012	HJL	Continue review of extensive case law, Ruchelhaus, Buckhannon, Hewel, Keneseth, Kifali, Hensley, Perez, DOE v. Bd of Ed, etc. Begin review of all prior briefs and affidavits; office conference with RJQ re: status and strategy; telephone conference with Counsel Press re: motion re: Protective Order; telephone call to Second Circuit re: same.	7.75	375.00
09/26/2012	HJL	Began draft of brief; researched Standard of Review; continued to review case law; telephone conferences with Second Circuit re: documents under seal and requirement for motion; spoke with clerk's office, case administrator, etc.	6.25	375.00
09/27/2012	HJL	Continue draft of brief - Argument re: "some degree of success on the merits"; review lower court decision in Hardt and various other cases.	8.25	375.00
09/28/2012	HJL	Continue draft of brief re: "some degree of success on the merits"; research issue re: what standard of review if any for issues raised in papers but not addressed by the court below (second two prongs of attorneys fees test); voluminous legal research re: same and remand required or make factual findings; review more briefs including summary judgment motion briefs; begin draft of Statement of Facts and Procedural History.	8.00	375.00
09/28/2012	PRR	Researched correct appeal form to file to notify the court that we are requesting oral argument.	0.25	190.00

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10/01/2012	HJL	Continue draft of brief; continue Statement of Facts and Procedural History; begin research re: appropriateness of award of attorney fees, Chambliss factors and WestLaw research; add section to brief re: appropriateness of award; review prior briefs; review MJ Report; add sections from both; add point whether court can render determination on facts that are part of the record, but not addressed by the court below, or whether remand is mandatory; additional voluminous case law reviewed.	8.25	375.00
10/01/2012	PRR	Prepared draft U.S. Court of Appeals for the Second Circuit Oral Argument Statement pursuant to Local Rule 34.1(a).	0.25	190.00
10/02/2012	HJL	Continue draft of brief; continue all sections, add further citations; review Hensley; research of law whether Hensley, which applies to prevailing party fee awards, applies to Hardt, which does not apply prevailing party standard; research propriety of reducing award by 2/3rd where one out of three claims successful; argue that related claims do not reduce amount, or do not reduce amount proportionally; initial draft of section of brief re: reasonableness of attorneys fees.	8.50	375.00
10/02/2012	PRR	Telephone conversation with J. Wang, case manager at the Second Circuit to confirm that our Oral Argument Statement cannot be filed unless it is within the 14 dys after the filing of the last appellate brief; emailed RJQ and HJL re: same.	0.25	190.00
10/02/2012	RJQ	Meetings with HJL regarding status of research and issues being briefed.	1.50	495.00
10/03/2012	HJL	Continue draft of brief; continue review and revision of all sections; continue to add further citations; review case law re: Chambliss; review and revise sections of brief re: Chambliss factors; office conference with RJQ; discuss substance of legal arguments and pertinent facts; additional WestLaw searches; review additional case law.	7.75	375.00
10/03/2012	PRR	Reviewed Civil Docket for SDNY case; pulled all letters, pleadings, orders, affidavits/affirmations and motions (Docket Nos. 1-30) from said docket to prepare for appeal briefing.	1.25	190.00

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Date		Description	Hours	Rate
10/04/2012	HJL	Continue review and revision of Chambliss factors; review facts needed for Appendix; telephone conference with CounselPress re: page citations, timing for Appendix; review prior court transcripts re: hearings; review pleadings; review cases; WestLaw sheppardizing of Chambliss; review correspondence from opposing counsel re: Appendix; office conference with RJQ re: same; further telephone conference with Counsel Press re: same; review statutes and authority re: FRAP 30 and requirements for inclusion; further research of law re: FRAP 30, FP&P, Federal Rules Decisions, etc.	6.50	375.00
10/05/2012	HJL	Telephone conference with case administrator re: OSC, Motion, Appendix, pay if included, exclude if improper, etc. Further office conferences with RJQ re: same. Locate and review documents sought for inclusion by opposing counsel; discussion with RJQ; began draft of letter to opposing counsel re: same.	4.50	375.00
10/05/2012	PRR	Searched and printed all sealed exhibits to the Venis, Diaz and Brand Affidavits dated 12/3/2007.	1.75	190.00
10/08/2012	HJL	Research refusal to add documents to Appendix; preparation of RJQ letter to opposing counsel re: declination to add documents to Appendix; continue draft of brief re: bad faith, research re: same; review additional case law; research prevailing party definition; review FP&P.	6.75	375.00
10/08/2012	PRR	Finalized letter to M. Bernstein of Sedgwick relating to the firm's response to additional documents that Appellees request to be included in the Appendix.	0.25	190.00
10/10/2012	HJL	Research FP&P re: prevailing party; add citations to brief; instructions to PAR concerning preparation and forwarding of Appendix; telephone conference with Counsel Press re: same; address issue re: Record Doc #113.	2.25	375.00
10/10/2012	PRR	Reviewed docket report and downloaded relevant filings for our appeal; uploaded same to Counsel Press' repository for the 10/22/2012 filing; talked to HJL re: RJQ declaration that was misfiled on the docket sheet that needs to be provided for said filing.	1.75	190.00
10/11/2012	PRR	Re-filed RJQ's Declaration re: Attorney Fees with Exhibits A-D to correct docket which reflects errors at docket entries 113 and 123 along with ECF confirmation dated 12-15-2009; uploaded same to the Records on Appeal Counsel Press repository; emailed HJL to review same.	0.50	190.00

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Date		Description	Hours	Rate
10/12/2012	PRR	Met with HJL re: gathering of record of appeal docs for Counsel Press confirmation that they can bind said docs; emailed HJL with link containing all of the docs sent to Counsel Press.	0.25	190.00
10/15/2012	HJL	Provide summary report by email to RJQ re: progress, issues and timing; telephone conference with Counsel Press re: timing, issues with Appendix and Record; prepare correspondence to opposing counsel re: additions to Appendix; review Appendix for completeness; continue drafting brief re: calculation of fees, perform WestLaw searches; review additional case law and treatises; review Record for confidentiality Orders; add to Appendix. Met with paralegal re: Appendix; search for missing pages; add missing jump cites; correct improper citations.	8.25	375.00
10/15/2012	PRR	Finalized letter to M. Bernstein seeking permission for public and confidential appendices.	0.25	190.00
10/15/2012	PRR	Met with HJL to discuss finalizing appeal records for Counsel Press; searched for docket number 100 to add to said appeal record.	0.25	190.00
10/15/2012	PRR	Searched and gathered all confidentiality orders (docket nos. 32, 105 and 135), transcript of proceedings (docket 100) and confidential Exhibit J to the WJO Declaration (docket 124) for the Record on Appeal; emailed HJL re: same to finalize; emailed Counsel Press to determine preference for docket entries 31 and 32 because they appear to be identical.	0.50	190.00
10/15/2012	PRR	Met with HJL to discuss including the Confidentiality Agreement in the Record of Appeal; searched for WJO's Ex. J filed under seal and Dkt 100: Confidentiality Agreement; corrected Dkt. 100 to full size for Appeals submission.	1.00	190.00
10/15/2012	PRR	Telephone conference with M. Braylovskiy, senior paralegal of Counsel Press to finalize our Record on Appeal.	0.50	190.00
10/15/2012	PRR	Prepared email to M. Bernstein attaching letter seeking permission to add documents to the Joint Appendix.	0.25	190.00
10/16/2012	ESS	Commenced review and edit of brief; conference with HJL and RJQ re: various legal issues.	1.75	495.00
10/16/2012	HJL	Meet with RJQ and ESS re: changes, revisions, various arguments, current status and timing. Reviewed and revised section re: Hardt; reviewed Appendix and added Appendix citations to brief; added section to brief re: Chambless analysis unnecessary for grant of fees.	6.50	375.00

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Date		Description	Hours	Rate
10/17/2012	ESS	Revise and edit latest version of brief; conference with HJL re: same.	1.50	495.00
10/17/2012	HJL	Conferences with ESS and RJQ re: reviews of brief and current status. Review and revise brief per ESS changes and additions.	3.00	375.00
10/17/2012	RJQ	Meeting with HJL regarding strategy for brief on various issues.	0.50	495.00
10/19/2012	RJQ	Review and analysis of issues; review of draft brief; made notes regarding edits, revisions, and various changes; telephone conversations with HJL and ESS regarding same.	3.50	495.00
10/20/2012	RJQ	Edits and revisions to brief; legal research on various issues.	4.00	495.00
10/21/2012	HJL	Meet with RJQ re: Sullivan decisions vs Ellis decision vs Sullivan Summary Judgment decision, citations to record and strategy discussion.	5.75	375.00
10/21/2012	RJQ	Meetings with HJL regarding brief arguments, structure and flow of brief; made edits to various sections; drafted new sections; drafted additional pages for preliminary statement; made edits and revisions to other sections.	6.50	495.00
10/22/2012	HJL	Exchanged messages with RJQ re: additional revisions; telephone conferences with RJQ re: same. Begin review of last night's edits, prepared new opening Preliminary Statement; made additional edits and finalized brief; met with paralegal to forward all to printers; telephone conferences with printers and case administrator; prepare motion papers and RJQ Declaration; telephone calls to M. Bernstein and J. Seybert; email to M. Bernstein re: motion; confirmed filing of all.	6.00	375.00
10/22/2012	PRR	Reviewed Table of Contents and Table of Authorities; uploaded same.	1.00	190.00
10/22/2012	PRR	Finalized Motion Information Sheet seeking permission to file under seal; uploaded same to Counsel Press repository with RJQ's Declaration; telephone conversation with Counsel Pressto confirm completion.	0.75	190.00
10/22/2012	PRR	Uploaded appellate briefs - confidential and public to the Counsel Press repository; prepared corporate disclosure statement and uploaded same; made Amex credit card deposit to Counsel Press; telephone calls with Mariana Braylovskiy of Counsel Press to correct or address issues as they arose.	1.25	190.00
10/22/2012	RJQ	Edits, revisions, and final drafting and edits; finalized brief with HJL.	4.75	495.00

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Date		Description	Hours	Rate
10/23/2012	HJL	Reviewed filings and printing; telephone conference with Counsel Press re: service; exchanged emails with opposing counsel re: same.	0.50	375.00
10/25/2012	PRR	Reviewed SO ORDERED scheduling notification setting Appellee Group Health, Inc. brief due date as 01/11/2013; calendared accordingly.	0.25	190.00
11/05/2012	PRR	Researched when we file our oral argument request with Second Circuit; emailed Counsel Press re: same; emailed RJQ and HJL re: deadline for oral argument papers; calendared accordingly.	0.50	190.00
11/12/2012	PRR	Prepared draft Request for Oral Argument form for submission to the U.S. Court of Appeals, Second Circuit; reviewed rules for availability dates 6-20 weeks after the due date; emailed RJQ and HJL re same.	0.25	190.00
11/13/2012	PRR	Office conference with RJQ re: draft Request for Oral Argument.	0.25	190.00
11/13/2012	PRR	Conference with RJQ re: Request for Oral Arguments in Second Circuit to retrieve unavailable dates; finalized RFOA.	0.25	190.00
11/14/2012	PRR	Electronic filing of our Oral Argument Statement pursuant to local rule 34.1(a).	0.25	190.00
11/27/2012	HJL	Review correspondence from opposing counsel; review FRAP 30, Local Rule 30.1; office conference with RJQ re: same; prepare correspondence to opposing counsel re: our position.	1.25	375.00
11/27/2012	PRR	Finalized letter to M. Bernstein re: his request for additional documents that Appellees request to be included in the Appendix; prepared USPS envelope scanned and saved to system.	0.25	190.00
11/29/2012	HJL	Review emails from RJQ; review caselaw; telephone conference with RJQ re: same.	0.50	375.00
12/17/2012	PRR	Reviewed incoming Defendant-Appellee motion seeking to file a supplemental Appendix; organized same with Exhibits A-K for files; forwarded same to HJL.	0.50	190.00
12/19/2012	HJL	Review motion papers from opposing counsel re: supplemental appendix; office conference with RJQ re: strategy and issues, review deadlines per FRPA 26 and 27.	1.25	375.00
12/20/2012	HJL	Review motion papers, case law, treatises, articles and rules; online research re: requirement to permit inclusion by appellee, alternatives; reviewed Federal Rules; prepared outline of legal arguments; began drafting opposition papers.	6.25	375.00

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Date		Description	Hours	Rate
12/21/2012	HJL	Review requirements of cross-motion; continue drafting opposition papers; prepared MOL and RJQ Declaration with Exhibits; reviewed three prior court decisions re: references and citations to documents sought to be added to Appendix.	6.75	375.00
12/24/2012	HJL	Review and revise motion opposition papers; office conference with RJQ re: same; review and revise RJQ Declaration and exhibits.	4.00	375.00
12/26/2012	HJL	Final review and revision concerning RJQ changes; proof read all papers, add and modify citations; met with paralegal to file and serve (re: Confidential copies).	2.25	375.00
12/26/2012	VMW	Reviewed Motion in Opposition to file Supplemental Appendix, Declaration of RJQ, exhibits and confidential motion with HJL; reviewed e-filing procedures; scanned and saved all documents to system; telephone call to court regarding procedures; efiled documents; drafted and finalized letter to court enclosing copies of confidential motion; mailed copy of all documents to opposing counsel.	2.00	175.00
01/04/2013	RJQ	Review and analysis of court order; review of letter from adversary; telephone conversation with HJL regarding strategy as to Supplemental Appendix in light of court's order and letter of adversary.	0.50	495.00
01/07/2013	HJL	Review prior Memos of Law, Affidavits, Declarations and Exhibits thereto and determine what is necessary and available in rebuttal. Telephone conference with RJQ to discuss strategy; prepare correspondence to opposing counsel re: supplemental Affidavit.	2.75	375.00
01/07/2013	RJQ	Multiple conferences with HJL regarding adversary's supplemental Appendix and our potential additions thereto. Review of their materials and our materials submitted on summary judgment. Discussion with HJL regarding same and strategy regarding whether to add to the adversary's supplemental Appendix.	1.00	495.00
01/14/2013	HJL	Review GHI appellate brief; check rules re: timing and limitations re: reply; office conference with RJQ; review status and strategy; discuss issues; begin draft of outline for reply; Westlaw research; download specific GHI cases cited, review same.	4.50	375.00
01/14/2013	RJQ	Meetings with HJL regarding arguments made in GHI's brief; background facts to be addressed in response; standard of review issues, and items for research regarding same.	1.50	495.00

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Date		Description	Hours	Rate
01/15/2013	HJL	Begin draft of reply brief; extensive Westlaw searches; shepardize cases; continue draft of outline and draft sections of brief; office conference with RJQ re: same; review voluminous case law.	7.00	375.00
01/16/2013	HJL	Office conference with RJQ; develop outline; discuss standard of review; success on merits; progress to date; strategy.	1.00	375.00
01/16/2013	RJQ	Strategy session with HJL regarding reply brief; issues to address, strategy regarding same.	1.00	495.00
01/17/2013	HJL	Office conference with RJQ; continue draft of reply brief; continue to develop strategy; extensive Westlaw searches re: all issues; global search for all Hardt progeny last 90 days; review all new cases.	8.00	375.00
01/17/2013	RJQ	Meeting with HJL regarding certain arguments to made on reply.	0.50	495.00
01/18/2013	HJL	Continue draft of reply brief; performed extensive Westlaw searches re:all issues; analyze issue re: "procedural grounds" vs. "procedural victory;" review additional cases and draft additional sections of brief; begin review of Chambless Point.	7.50	375.00
01/21/2013	HJL	Continue draft of sections of reply brief; performed extensive Westlaw searches re: all issues; analyze issue re: "culpable" vs. "bad faith;" review additional cases; telephone conference with RJQ re: status and strategy; prepare documents for RJQ review.	6.50	375.00
01/22/2013	HJL	Continue draft of reply brief; performed extensive Westlaw searches, read all cases in GHI section re: Chambless factors; review Chambless factors re: relative merits; begin review of supplemental Appendix; reviewed guidelines, policy, etc.; continue to draft sections re: "relative merits of parties positions," benefit to other participants, etc.	7.75	375.00
01/23/2013	HJL	Exchanged emails with RJQ; telephone conferences with same; discussed strategies; continued revisions; confirmed and corrected citations; prepared tables of contents/authorities.	6.75	375.00
01/24/2013	HJL	Telephone conferences with RJQ re: his changes and additions; discussed strategy; meeting with RJQ re: changes, revisions and editing.	5.75	375.00

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Date		Description	Hours	Rate
01/24/2013	RJQ	Further review of draft brief on reply; made various edits to same and comments for discussion with HJL as to strategy. Review of second draft of brief with HJL; made strategic edits, additions, and revisions. Drafted revised Preliminary Statement. Made edits and deletions to comply with word limit.	5.75	495.00
01/25/2013	HJL	Meet with RJQ; complete all editing and cut six more pages; finalize and email to printers for service and filing.	4.00	375.00
01/25/2013	RJQ	Review of drafts, made edits and revisions; meetings with HJL; finalized the entire reply brief.	4.25	495.00
01/28/2013	HJL	Office conference with RJQ; telephone conference with Second Circuit case manager; make motion to serve reply brief under seal; draft Motion Statement; draft RJQ Declaration.	1.00	375.00
03/08/2013	HJL	Exchanged emails with Second Circuit and RJQ; met with paralegals; telephone conference with Counsel Press; exchanged emails with same re: supply confidential documents to court on CD.	0.50	375.00
03/18/2013	VMW	E-filed documentation to Court of Appeals in conjunction with upcoming Hearing.	0.50	175.00
04/10/2013	HJL	Located all Appeal documents for RJQ; performed online research re: Appeal panel, court calendar, and individual judges.	1.00	375.00
04/11/2013	ESS	Strategy conference with RJQ re: oral argument tomorrow.	0.25	495.00
04/12/2013	RJQ	Conducted oral argument in Second Circuit	4.25	495.00
09/10/2013	ESS	Review second circuit decision; conferences with HJL and RJQ re: same and next steps.	1.00	495.00
09/10/2013	HJL	Review emails; download and review decision; office conferences with ESS and RJQ re: same, as well as status and strategy; various emails with other attorneys re: decision and strategy.	1.50	375.00
09/10/2013	RJQ	Meetings with HJL and ESS regarding court's decision; review and analysis of decision regarding strategy on remand and additional information needed for submission to Judge Sullivan for time after submission of the original motion. Analysis of decision.	2.00	495.00
09/12/2013	ESS	Multiple discussions with RJQ re: ramifications of second circuit ruling and potential next steps.	0.50	495.00
09/12/2013	RJQ	Meetings with ESS and HJL regarding strategy for further potential litigation in the district court upon remand.	1.25	495.00
09/13/2013	HJL	Telephone conference with Counsel Press re: bill of costs.	0.25	375.00

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Date		Description	Hours	Rate
09/18/2013	HJL	Prepare, review and revise Bill of Costs; discuss with RJQ; instructions to paralegal re: filing same.	0.75	375.00
09/18/2013	VMW	Electronically filed Verified Itemized Bill of Costs.	0.25	175.00
10/02/2013	HJL	Review emails; download and review Objections to Bill of Costs; review local rules.	0.25	375.00
10/16/2013	HJL	Downloaded and reviewed court orders re: Bill of Costs; discussed status with RJQ; exchanged emails with same.	0.25	375.00
10/23/2013	RJQ	Receipt and review of Court's order as to joint letter of the parties.	0.25	495.00
10/29/2013	RJQ	Strategy session with ESS regarding Court's order as to joint letter and various options in District Court upon remand.	0.50	495.00
10/30/2013	RJQ	Preparation for conference call with attorneys for GHI regarding Court's order requiring a joint letter as to future proceedings in District Court, upon remand. Meeting with HJL and ESS regarding same; strategy regarding future proceedings.	1.50	495.00
10/31/2013	HJL	Telephone conference with Second Circuit regarding notice of Bill of Costs; review and revise letter to Court; review Judge's rules; emailed letter to same.	0.75	375.00
11/12/2013	RJQ	Review and analysis of billing / timee; meetings with AMD re: same.	2.25	495.00
11/13/2013	RJQ	Review and analysis of all time entries; meetings with AMD; calculations and formulation of seettlement proposal; telephone conversaation with client; drafted and finalized letter to adversary with proposal.	3.50	495.00
11/22/2013	RJQ	Review of status; telephone calls to adversary re: potential resolution; email to adversary re: same. Meetings with ESS and HJL re: status and strategy. Telephone conversations with adversary. Review of historical emails and email to adversary re: 2010 proposal and rejection. Email to adversary re: legal positions to be advanced as to fees and counterproposal. Review and analysis of further email from adversary and response re: same.	2.25	495.00
11/25/2013	ESS	Conference with HJL and RJQ re: outline of supplement to motion and potential settlement.	0.25	495.00
11/25/2013	HJL	Office conference with ESS and RJQ re: ssupplemental submission..	0.25	375.00
11/26/2013	HJL	Review of second circuit decision; began draft of outline for supplemental submission.	1.75	375.00
11/29/2013	HJL	Preparation of brief on remand re: attorneys fees; preliminary draft of all sections.	3.25	375.00

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Date		Description	Hours	Rate
12/02/2013	ESS	Discussions with HJL re: structure of the brief and his analysis of the legal issues.	0.50	495.00
12/02/2013	HJL	Office conference and discussion with ESS re: brief, preparation of various arguments and strategy; complete first draft of remand brief. Perform legal research, and review of case law.	4.00	375.00
12/22/2013	RJQ	Review and analysis of all issues upon remand from the Second Circuit, in preparation for editing, revising, amending, and supplementing draft memorandum of law and declaration in support of motion for legal fees. Drafted new sections of Declaration in support of motion. Drafted additional and new sections of memorandum of law. Revisions to same.	7.75	495.00
12/23/2013	RJQ	Additional drafting, editing, research and finalization of supplemental submission papers in suport of legal fee motion.	4.75	495.00
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